

### Remarks

The Advisory Action mailed May 2, 2007 indicates that the amendments filed April 4, 2007 will not be entered for the reasons indicated. It is expected that the filing of the Request for Continued Examination (RCE) concurrently herewith will be effective to obtain entry and consideration of those amendments.

In addition, and referring to the Continuation Sheet attached to the Advisory Action, wherein the Examiner indicates that Applicants could perhaps specify that the pharmaceutically active agent be able to cross the mucosa upon administration in order for the claims to be in possible condition for allowance, Applicants have now amended claim 1 to specify that the one or more pharmaceutically active agents is deliverable via a mucus membrane. This amendment is based on the disclosure at the beginning of the paragraph at the bottom of page 5 of the specification.

In addition to claim 10, the other independent claims are claims 24 and 28, both of which specify that the pharmaceutically active agent is nicotine or a nicotine salt. Claims 24 and 28 have not been amended in the same manner as claim 1, because it is well known that nicotine is absorbed via the oral mucosa, and therefore, it would be redundant to amend claims 24 and 28 to recite that the nicotine is deliverable via a mucous membrane.

Claims 30, 31, 33, 34 and 39 all include a genus followed by one or more species. To correct this, each of these claims has been amended to delete the species. The species are now set forth in new claims 52-56.

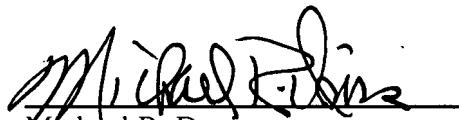
Thus, claim 30 has been amended to delete nicotine salicylate, which is now set forth in new claim 52. Similarly, the “particular” species have been deleted from claim 31, and are set forth in new claim 53; the preferred concentration range has been deleted from claim 33, and is set forth in new claim 54; the preferred polyalcohols have been deleted from claim 34, and are set forth in new claim 55; and the preferred ingredients have been deleted from claim 39, and are set forth in new claim 56.

In view of the foregoing amendments and remarks, it is submitted that the present application is now in condition for allowance, and such allowance is solicited.

Respectfully submitted,

Horst Georg ZERBE et al.

By:



Michael R. Davis  
Registration No. 25,134  
Attorney for Applicants

MRD/pth  
Washington, D.C. 20006-1021  
Telephone (202) 721-8200  
Facsimile (202) 721-8250  
June 5, 2007